

Uganda's anti-gay bill will propel the country back centuries

LSE alumnus Waiswa Nkwanga calls the Ugandan parliament to task as it seeks to pass a bill that will make homosexuality punishable with life imprisonment.

While Americans were busy voting to legalise same-sex marriage in three states earlier this month, other countries were busy seeking to expand legislation against homosexuals.

Last month, the speaker of the Ugandan parliament promised to give her compatriots a special Christmas gift—making homosexuality a felony punishable by life imprisonment.



The cartoon depicts the consequences of the pending anti-gay bill in Uganda. Cartoon by Richard & Slavomir Svitalsky (Cartoon Movement)

I'm not exaggerating. According to BBC news, the speaker Rebecca Kadaga was quoted as saying "Ugandans want that law as a Christmas gift. They have asked for it and we'll give them that gift."

Ms Kadaga is not bluffing. Just last week, she wrote to the Legal and Parliamentary Affairs Committee chairperson, Mr Stephen Tashobya asking him to expedite the Bill saying, "As you are aware, there is high demand by the population to address the escalating problem of promoting and recruiting minors into homosexuality," the Daily Monitor reported.

This may seem a minor matter to some Ugandans, but the problem goes beyond wanting to implement harsher punishments against homosexuals. The government is using its hateful war on gays as a wall of privacy, to distract Ugandans while slowly chipping away the rights of everyone (gay or not) with impunity. I am Ugandan and straight, but what if someone maliciously accuses me of being gay because I oppose the bill? What if I had a gay brother or a lesbian sister, a friend or even a child?

This unwarranted assault on human rights has been in the making for quite some time. In 2005, President Museveni signed into law a constitutional amendment prohibiting same-sex marriage. Article 31 of the amendment defined marriage as lawful "only if entered into between a man and a woman," according to a report by Human Rights Watch.

Without serious opposition to the amendment, the government presumed that it could further restrict human rights without opposition. In 2009, it introduced the HIV and AIDS Prevention and Control Bill, which sought to make intentional transmission of HIV/AIDS an offence punishable with life imprisonment (clause 41 of the draft Bill). Some provisions of the bill (clause 21) implicitly imposed mandatory testing for HIV and the disclosure of HIV status. Never mind the fact that millions of Ugandans do not have the financial means to test for HIV or lack access to healthcare clinics. Never mind the fact that in this corrupt society, there is a severe shortage of medical practitioners and that patients have to pay bribes to see one.

This anti-gay bill is a mere extension of this increasingly sadistic and repressive attitude by the Ugandan government towards its people. The controversial bill, which was first introduced in the Ugandan Parliament in 2009, originally divided homosexuality into two categories: aggravated homosexuality and the offence of homosexuality. It defined the former as “gay acts committed by parents or authority figures, HIV-positive people, paedophiles and repeat offenders.” It would have imposed a death penalty on the culprits.

The latter category included same-sex sexual acts or being in a gay relationship, and those prosecuted would be sentenced to life imprisonment. The bill would also have required Ugandans to report any homosexual activity within twenty-four hours or face a maximum penalty of three years' imprisonment.

There have been some revisions to the bill as a result of intense international pressure, including reportedly **dropping of the death penalty** under the aggravated homosexuality category; moreover, the criminalisation of homosexuality remains intact.

To be sure, most countries have their misgivings about homosexuality, but this regressive bill takes us centuries back to the days when many states in the US imposed miscegenation laws that criminalised interracial relationships, an act that sanctioned terror against black men.

Perhaps more importantly, this bill seems to be a mere cover up for an increasingly authoritarian and intolerant regime, which has been in power for more than a quarter-century and has long run out of constructive ideas. Just last year, Ugandans who demonstrated against rising commodity prices and government corruption were arrested and charged with treason, an offence which carries the death penalty. **At least nine people were brutally murdered, according to Human Rights Watch.**

So when enlightened heterosexual Ugandans like me retreat into silence on issues like these, for fear of being persecuted or because this anti-gay bill will not affect us directly, we become part of the problem.

We should all oppose this bill with one voice because, as Martin Luther King Jr said in 1963, injustice anywhere is a threat to justice everywhere.

On Wednesday 28 November, the film, **Call Me Kuchu** will be shown at LSE from 6.30pm. The film tells the story of the life and death of David Kato, a Ugandan gay rights campaigner who was killed in 2011.

